

NORTH AMERICA.

No. 2. (1863.)

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CORRESPONDENCE

WITH

MR. MASON

RESPECTING

B L O C K A D E,

AND

RECOGNITION OF THE CONFEDERATE  
STATES.

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*Presented to both Houses of Parliament by Command of Her Majesty.*  
1863.

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LONDON:  
PRINTED BY HARRISON AND SONS.

13107

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# Correspondence with Mr. Mason respecting Blockade, and Recognition of the Confederate States.

No. 1.

*Mr. Mason to Earl Russell.—(Received April 1.)*

My Lord,

109, Piccadilly, London, April 1, 1862.

ON the 17th February last, I had the honour to submit to your Lordship a printed list of vessels entered and cleared at ports in the Island of Cuba, from and to certain of the blockaded ports of the Confederate States of America, up to the month of December, 1861, inclusive; and in my letter accompanying the list, I stated that they were sent to me from Havana, and were "taken from official documents there by a gentleman of intelligence and integrity, well known to me, and worthy of entire reliance."

I have now the honour of submitting to your Lordship like printed lists, taken from the same official sources, of vessels from certain of the blockaded ports of the Confederate States, which with their respective cargoes entered the ports of Havana and Matanzas in Cuba, for the months of January and February in the present year.

These lists came by the last West Indian mail, were sent to me by the gentleman above referred to, and are entitled to full credit.

They show that in January and February last ten vessels from New Orleans and six from Mobile had entered the ports indicated in Cuba, making with those of others from the blockaded ports in all twenty-five vessels, not prevented by the alleged blockade from successful ventures to a foreign port.

I have, &c.  
(Signed) J. M. MASON.

Inclosure in No. 1.

A LIST of Vessels which arrived at Havana and Matanzas, from Ports of Confederate States of America, during the Months of January and February, with a description of their Cargoes landed.

1862.	Sailed from.	Nationality.	Name	Cargo	Arrived at.
Jan. 2	New Orleans ..	British steamer ..	..	Turpentine.. ..	Havana.
" 4	Pensacola ..	Confederate schooner .	..	do. .. ..	do.
" 7	do. ..	do. .. ..	..	do. .. ..	do.
" 7	New Orleans ..	do. .. ..	..	Turpentine and cotton.	do.
" 7	Mobile ..	do. .. ..	..	Turpentine.. ..	do.
" 7	New Orleans ..	Confederate steamer ..	..	Cotton .. ..	do.
" 8	.. ..	British schooner ..	..	do. .. ..	do.
" 8	.. ..	do. .. ..	..	do. .. ..	do.
" 14	.. ..	do. .. ..	..	Turpentine and rosin..	do.
" 14	New Orleans ..	do. .. ..	..	Rosin and cotton ..	do.
" 21	do. ..	British steamer ..	..	Cotton .. ..	do.
Feb. 3	Cristal River ..	Confederate schooner .	..	do. .. ..	Matanzas.
" 9	Charleston ..	do. .. ..	..	do. .. ..	do.
" 9	Mobile ..	do. .. ..	..	do. .. ..	Havana.
" 9	New Orleans ..	do. .. ..	..	do. .. ..	do.
" 9	Mobile ..	do. .. ..	..	do. .. ..	do.
" 13	Charleston ..	do. .. ..	..	do. .. ..	Matanzas.
" 13	Mobile ..	do. .. ..	..	do. .. ..	Havana.
" 15	Apalachicola ..	do. .. ..	..	do. .. ..	do.
" 16	Mobile ..	do. .. ..	..	do. .. ..	do.
" 18	Galveston ..	British steamer ..	..	do. .. ..	do.
" 19	New Orleans ..	Confederate schooner .	..	do. .. ..	do.
" 20	Charleston ..	British steamer ..	..	do. .. ..	do.
" 21	New Orleans ..	Confederate schooner .	..	do. .. ..	do.
" 22	do. ..	Confederate steamer ..	..	do. .. ..	do.
" 22	do. ..	do. .. ..	..	do. .. ..	do.
" 25	Mobile ..	Confederate schooner .	..	do. .. ..	do.
" 28	.. ..	British schooner ..	..	do. .. ..	do.

NOTE.—A list of those vessels which left Cuban ports, and ran the blockade, will be given, with casualties, as soon as the information can be obtained.



## No. 2.

*Earl Russell to Mr. Mason.**Foreign Office, April 4, 1862.*

EARL RUSSELL presents his compliments to Mr. Mason, and begs leave to acknowledge the receipt of Mr. Mason's letter of the 1st instant, relative to the blockade of the ports of the Southern Coast of North America.

## No. 3.

*Mr. Mason to Earl Russell.—(Received July 7.)*

*54, Devonshire Street, Portland Place, London,  
July 7, 1862.*

My Lord,

I AM instructed by a recent despatch from the Secretary of State of the Confederate States of America, to bring to the attention of your Lordship, what would seem to be an addition engrafted by Her Majesty's Government on the principle of the law of blockade, as established by the Convention of Paris in 1856, and accepted by the Confederate States of America, at the invitation of Her Majesty's Government.

In the instructions to me the text of the Convention of Paris is quoted in the following words:—

“Blockades, in order to be binding, must be effective, that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.”

And the despatch of the Secretary of State then proceeds:

“The Confederate States, after being recognized as a belligerent Power by the Governments of France and Great Britain, were informally requested by both those Powers to accede to this declaration, as being a correct exposition of international law. Thus invited, this Government yielded its assent.”

\* \* \* \* \*

“Great then was the surprise of the President, at finding in the published correspondence before alluded to” (referring to the papers laid before Parliament, touching the American blockade), “the following expressions of Earl Russell in his letter to Lord Lyons of the 15th of February last.

“‘Her Majesty's Government, however, are of opinion that assuming that the blockade was duly notified, and also that a number of ships is stationed, and remains at the entrance of a port sufficient, really, to prevent access to it, *or to create an evident danger of entering or leaving it*; and that the ships do not voluntarily permit egress or ingress, the fact that various ships may have successfully escaped through it (as in the particular instance referred to) will not of itself prevent the blockade from being an effectual one by international law.’”

“You will perceive that the words in italics are an addition to the definition of the Treaty of Paris of 1856.

\* \* \* \* \*

“If such be the interpretation placed by Great Britain on the Treaty of 1856, it is but just that this Government should be so officially informed. Certain it is that this Government did not, nor could it anticipate, that the very doctrine in relation to blockade formerly maintained by Great Britain, and which, all Europe supposed to be abandoned by the Treaty of 1856, would again be asserted by that Government.

“The language of Her Majesty's Secretary of State for Foreign Affairs may not have been intended to bear the construction now attributed to it, but it is evidently susceptible of this interpretation, and we cannot be too cautious in guarding our rights in a matter which must in the future, as well as the present, so deeply involve the interests of the Confederacy.”

As a warrant for the assertion in the despatch of the Secretary, that the superadded words promulgated a doctrine in relation to blockade, formerly maintained by Great Britain, I am referred by him to the text of the Treaty between Great Britain and Russia in 1801, as follows:—

“That in order to determine what characterizes a blockaded port, that denomination is given only where there is, by the disposition of the Power which attacks it with ships stationary or sufficiently near, *an evident danger* in entering.”—Article III, Section 4.

The force and effect of these superadded words, it must be plain to your Lordship, has materially and most prejudicially affected, and must continue so to affect, during the

existing war, the interests of the Confederate States; nor could this be better shown than by the illustration adopted in the letter referred to, from your Lordship to Lord Lyons, that :

“The fact that various ships may have escaped through it [the blockade] will not, of itself, prevent the blockade from being an effectual one by international law.”

It may be readily admitted that the fact that various ships entering or leaving a port have successfully escaped a blockading squadron, does not show that there may not have been an *evident danger* in so entering or leaving it; but it certainly does show that the blockade was not, in the language of the Treaty of Paris, “maintained by a force sufficient, really, to prevent access to the coast of the enemy.”

I have, therefore, the honour to request, for the information of my Government, that your Lordship will be good enough to enable me to solve the doubt entertained by the President of the Confederate States as to the construction placed by the Government of Her Majesty on the text of the Convention of Paris, as accepted by the Government of the Confederate States in the terms hereinbefore cited, that is to say, whether a blockade is to be considered effective when maintained at an enemy's port by a force sufficient to create an “evident danger” of entering or leaving it; and not alone, where sufficient, “really to prevent access.”

On the subject of the alleged blockade, I have received from the Department of State of the Confederate States, and am instructed to lay before your Lordship, as Her Majesty's Secretary of State for Foreign Affairs, the accompanying lists of vessels entered and cleared at the port of Charleston, South Carolina, in the month of November and December, 1861, and of January, February, and March, 1862; at the port of Savannah, Georgia, for the months of October, November, and December, 1861; at Galveston, Texas, for the months of December, 1861, and January and February, 1862; at New Orleans, Louisiana, for the months of November and December, 1861, and February, 1862; at Pensacola, Florida, for the months of December, 1861, and January and February, 1862; at Apalachicola, Florida, for the months of December, 1861, and January, 1862; and at Port Lavaca, Texas, in January, 1862.

The doctrines of international law certainly are, that war does not put an end to commerce between a belligerent and neutrals, except at ports and places actually blockaded; and yet in the strange and anomalous pretensions of the United States, apparently acquiesced in by neutral Powers, all commerce between neutrals and the Confederate States is prohibited along an entire coast-line of some 2,500 miles. Armed vessels cruise along the coast, and capture all neutrals that fall in their way, on the allegation that the entire coast is under blockade. The Confederate States, as is known, have never been commercial, their carrying trade being almost entirely in the hands of other nations. Were it otherwise, little effect would be produced upon their commerce by this misnamed blockade. As it is, the few ships and other vessels armed by them have, from the beginning of the war, been actively and profitably employed in carrying their products to foreign ports, and in bringing back supplies. Not one in ten, in the large number of voyages so made, it is believed, has been captured; and had that respect been exacted for neutral rights which the law of nations provides, commerce between Europe and the Confederate States would have been, comparatively, but little interrupted. And in this view, I am instructed to inquire, whether it may not be practicable to require of the blockading Power to specify, from time to time, the ports claimed to be actually blockaded. Besides the larger ports [few in number in the Confederate States] there are numbers of smaller towns, accessible from the sea, where commerce continues to be carried on with foreign nations in the few vessels possessed by Confederate owners, and were blockaded ports designated these latter would at once be open to the commerce of the world in anything not contraband. How far this would be advantageous to neutral Powers it remains for them to determine. The article of cotton alone taken from such ports which are not, and have not been blockaded, but commerce with which is intercepted by armed cruisers, occasionally passing along the coast, would go far to supply the pressing demand of European manufacturers.

In this connection I am instructed emphatically to disclaim any policy in the Confederate States' Government to prohibit or discourage the export of cotton. It has been the policy of the enemy to propagate such belief, and perhaps to some extent it may have obtained credence in Europe. On the contrary, I am instructed to assure Her Majesty's Government that if Europe is without American cotton, it is because Europe has not thought it proper to send her ships to America for cotton. Were the blockading Power required strictly to designate the ports and places blockaded, and to maintain the same by adequate force from those other ports thus clearly ascertained to be open to trade, any amount of cotton required would be freely offered in exchange for the manufactures of



Europe. There is no lack of this great article of export in the interior of the Southern States. It has not been brought to the seaboard because there was little demand for exportation, and it would otherwise be subject to depredation by the enemy. Wherever they approach, it is destroyed by fire, to prevent its falling into their hands; but let the blockaded ports be designated, as required by public law, and it will freely flow to the coast at other points thereby opened to the trade of the world.

There is one subject further in connection with this alleged blockade to which I am directed to call the attention of Her Majesty's Government: It is, that vessels of war of the United States are stationed off the mouth of the Rio Grande, with orders not to permit shipments of cotton to be made from the Mexican port of Matamoros. It is claimed that cotton taken from the Confederate States to Matamoros is lawful subject of capture. In proof of this I have the honour to transmit herewith a copy of an extract of a letter from J. A. Quintero, the commercial agent of the Confederate States at Matamoros, to the Secretary of State of the Confederate States.

I need not say to your Lordship that although a maritime blockade may, in some sense, be frustrated by the carriage of merchandize, through the medium of interior communication, from a blockaded to a neutral port, when shipped from the latter it is no breach of blockade; yet this is now done at the mouth of the Rio Grande, a river forming the boundary between Mexico and the Confederate States of Texas.

I am, &c.  
(Signed) J. M. MASON.

Inclosure 1 in No. 3.

(No. 1.)—List of Vessels Entered and Cleared at the Port of Charleston, South Carolina, during the month of October, 1861.

Date of Entry.	Class.	Name.	Port where from.	Date of Clearance.	Port of Destination.	Flag.	Remarks.
Oct. 1	Steamer	.. ..	Fernandina, Fla...	Oct. 2	Fernandina ..	C. S. A.	
" 2	Schooner	.. ..	Georgetown, S.C.	..	.. ..	do.	
" 7	"	.. ..	do. ..	..	.. ..	do.	
" 7	Sloop	.. ..	.. ..	" 7	Matanzas ..	British.	
" 9	Steamer	.. ..	Fernandina, Fla...	" 9	Fernandina ..	C. S. A.	
" 11	Sloop	.. ..	Santee River ..	..	.. ..	do.	
" 11	Steamer	.. ..	.. ..	" 11	Havana ..	do.	
" 14	"	.. ..	Savannah, Ga. ..	..	.. ..	..	
" 16	"	.. ..	Fernandina, Fla...	" 19	Fernandina ..	do.	
" 18	Schooner	.. ..	Santee River, S.C.	..	.. ..	do.	
" 21	"	.. ..	do. ..	..	.. ..	do.	
" 21	Steamer	.. ..	Georgetown, S.C.	..	.. ..	do.	
" 22	Schooner	.. ..	Darien, Ga. ..	..	.. ..	do.	
" 22	"	.. ..	.. ..	..	.. ..	do.	
" 22	Sloop	.. ..	Santee River, S.C.	..	.. ..	do.	
"	Barque	.. ..	.. ..	" 22	Liverpool ..	..	Still in port.
"	Brig	.. ..	.. ..	" 25	Savannah, Ga. ..	do.	
" 28	Steamer	.. ..	Fernandina, Fla...	" 28	Fernandina ..	do.	
" 28	Schooner	.. ..	Nassau, N.P. ..	..	.. ..	British.	With cargo.
" 28	"	.. ..	Neuritas, Cuba ..	..	.. ..	do.	
"	"	.. ..	.. ..	" 29	Cuba ..	C. S. A.	
"	"	.. ..	.. ..	" 30	Georgetown, S.C.	do.	
"	"	.. ..	.. ..	" 31	Savannah, Ga. ..	do.	
" 31	Steamer	.. ..	Havana ..	..	.. ..	do.	With cargo.

(Signed)  
Collector's Office, Charleston, South Carolina,  
October 31, 1861.

WM. F. COLCOCK, Collector.

LIST of Vessels Entered and Cleared at the Port of Charleston, S.C., during the months of  
November, December, January, and February.

Date of Entry.	Class.	Name.	Port where from.	Date of Clearance.	Port of Destination.	Flag.	Remarks.
1861				1861			
Nov. 1	Schooner	.. ..	Georgetown, S.C.				
" 2	Steamer	.. ..	Savannah, Ga. ..				
" 4	"	.. ..	Havana				
" 4	Schooner	.. ..	Ogeechee, Ga. ..				
" 4	Sloop	.. ..	do. ..				
" 4	Steamer	.. ..	do. ..				
" 7	"	.. ..	Fernandina, Fla. .				
" 7	Sloop	.. ..	.. ..	Nov. 7	Nassau, N.P.		
" 21	Schooner	.. ..	Santee River, S.C.				
" 21	"	.. ..	do. ..				
" 21	Sloop	.. ..	Georgetown, S.C.				
" 21	Schooner	.. ..	.. ..	" 21	Havana, Cuba.		
" 21	Steamer	.. ..	.. ..	" 21	do.		
Dec. 1	Schooner	.. ..	Santee River, S.C.			C. S. A.	
" 4	Sloop	.. ..	do. ..			do.	
" 4	Steamer	.. ..	.. ..	Dec. 4	Cardenas ..	do.	
" 6	Schooner	.. ..	Santee River, S.C.			do.	
" 6	Sloop	.. ..	do. ..			do.	
" 6	"	.. ..	do. ..			do.	
" 6	"	.. ..	do. ..			do.	
" 6	Brig	.. ..	.. ..	" 24	Liverpool ..	do.	
" 6	"	.. ..	.. ..		do. ..	do.	
" 30	Sloop	.. ..	Santee River, S.C.			do.	
" 31	"	.. ..	do. ..			do.	
" 31	"	.. ..	do. ..			do.	
1862				1862			
Jan. 2	Steamer	.. ..	Nassau, N.P. ..			British.	
" 2	Schooner	.. ..	Santee River, S.C.			C. S. A.	
" 2	Sloop	.. ..	do. ..			do.	
" 2	"	.. ..	do. ..			do.	
" 2	Schooner	.. ..	.. ..	Jan. 4	West Indies .	do	
" 2	"	.. ..	.. ..	" 4	Cowes and a market	do	
" 2	"	.. ..	.. ..	" 6	St. Thomas. .	do.	
" 2	Sloop	.. ..	Santee River, S.C.			do.	
" 2	Steamer	.. ..	.. ..	" 9	Nassau, N.P.	do.	
" 10	Schooner	.. ..	Santee River, S.C.				
" 10	Sloop	.. ..	do.				
" 14	Schooner	.. ..	Georgetown, S.C.			do.	
" 15	"	.. ..	Santee River, S.C.			do.	
" 15	Sloop	.. ..	do. ..			do.	
" 16	"	.. ..	do. ..			do.	
" 17	Schooner	.. ..	do. ..			do.	
" 17	Sloop	.. ..	Georgetown, S.C.			do.	
	Schooner	.. ..	.. ..	" 18	Halifax, N.S.	do.	
	"	.. ..	.. ..	" 20	Matanzas ..	do.	
	"	.. ..	.. ..	" 23	Nassau, N.P.	dc.	
	"	.. ..	.. ..	" 28	Matanzas ..	do.	
	Steamer	.. ..	.. ..	" 28	Havana ..	British.	
Feb. 8	"	.. ..	Nassau, N.P. ..			do.	Arrived at New Smyrna. No Custom-house there.
" 8	"	.. ..	do. ..	Feb. 8	Nassau, N.P.	do.	
	"	.. ..	do. ..	" 6	do. ..	C. S. A.	
	Barque	.. ..	do. ..	" 8	Liverpool ..	do.	
	Steamer	.. ..	do. ..	" 15	Nassau, N.P.	do.	
	Schooner	.. ..	do. ..	" 17	Matanzas ..	do.	
	"	.. ..	do. ..	" 18	Nassau, N.P.	do.	
	Brig .	.. ..	do. ..	" 20	Liverpool ..	do.	
	Schooner	.. ..	do. ..	" 22	Nassau, N.P.	do.	
	"	.. ..	do. ..	" 22	Matanzas ..	do.	

## LIST of Vessels Entered and Cleared at the Port of Charleston during March 1862.

Date of Entry.	Class.	Name.	Port where from.	Date of Clearance.	Port of Destination.	Flag.	Remarks.
	Schooner	.. ..	.. ..	Mar. 3	Nassau, N.P.	C. S. A.	
	"	.. ..	.. ..	" 4	do. ..	do. ..	
Mar. 6	Steamer	.. ..	Havana ..	" 25	Havana ..	British .	
" 14	"	.. ..	London ..	" 25	do. ..	do. ..	Arms and munitions of war.
" 20	Schooner	.. ..	Nassau, N.P. ..	" 31	Nassau, N.P.	do. ..	
" 20	"	.. ..	.. ..	" 15	do. ..	C. S. A.	
	"	.. ..	.. ..	" 22	do. ..	do. ..	
	"	.. ..	.. ..	" 22	do. ..	do. ..	
" 24	Steamer	.. ..	Nassau, N.P. ..	.. ..	.. ..	British .	
" 29	"	.. ..	do. ..	.. ..	.. ..	do. ..	
	Brig	.. ..	.. ..	" 29	Liverpool ..	C. S. A.	
	Schooner	.. ..	.. ..	" 31	Nassau ..	do. ..	

(Signed)

THOS. D. JEWEL, *Sp. Dp. Col.*

Collector's Office, Charleston, S.C.,  
March 31, 1862.

## (No. 2.)—A LIST of Vessels Entered and Cleared from the Port of Savannah, Ga., during month ending October 31, 1861.

Date.	Class.	Name.	From what Port.	To what Port.	Character of Cargo.
Oct. 5	British schooner	.. ..	Havana ..	.. ..	Coffee, &c.
" 7	Confederate States' schooner	.. ..	.. ..	Havana ..	Rice.
" 10	"	.. ..	.. ..	St. Thomas ..	do.
" 14	British brig	.. ..	Halifax ..	.. ..	Fish, salt, &c.
" 15	"	.. ..	Havana ..	.. ..	Coffee.
" 24	British schooner	.. ..	.. ..	Havana ..	Rice.
" 25	Confederate States' schooner	.. ..	.. ..	Nassau ..	Turpentine, &c.
" 25	"	.. ..	.. ..	do. ..	do.
" 25	"	.. ..	.. ..	do. ..	Rice.
" 26	"	.. ..	.. ..	do. ..	do.
" 26	"	.. ..	.. ..	Havana ..	do.
" 28	British brig	.. ..	.. ..	Halifax ..	Turpentine, &c.
" 28	Confederate States' sloop	.. ..	.. ..	Havana ..	Rice.
" 29	British steamer	.. ..	.. ..	Havre ..	Cotton.

(Signed)

JOHN BOSTON, *Collector.*Attest, Z. N. WINKLER, *Clerk.*

## LIST of Vessels Entered and Cleared at the Port of Savannah, Ga., for the months of November and December, 1861.

Date of Entry.	Class.	Name.	Port where from.	Date Cleared.	Port of Destination.	Flag.	Remarks.
Nov. 1	Schooner	.. ..	.. ..	.. ..	Havana ..	British .	Cargo—Rice.
" 14	Steamer	.. ..	Greenock ..	.. ..	.. ..	.. ..	Various.
" 16	Schooner	.. ..	Kingston ..	.. ..	.. ..	.. ..	Coffee, &c.
Dec. 2	"	.. ..	St. Thomas ..	.. ..	.. ..	.. ..	do.
" 2	"	.. ..	Havana ..	.. ..	.. ..	.. ..	do.
" 2	"	.. ..	do. ..	.. ..	.. ..	.. ..	Sundries.
" 7	"	.. ..	do. ..	.. ..	.. ..	.. ..	Coffee, &c.
" 11	Steamer*	.. ..	.. ..	.. ..	Brest ..	.. ..	Cotton.
" 18	Schooner*	.. ..	do. ..	.. ..	.. ..	.. ..	Coffee, &c.
" 21	"	.. ..	.. ..	.. ..	Nassau ..	.. ..	Turpentine.

\* These two vessels have cleared at the dates above named, but have not yet left this port, January 4, 1862.



(No. 3.)—List of Vessels Entered and Cleared at the Port of Galveston, Texas, during the months of December, January, and February.

Date of Entry.	Class.	Name.	Port where from	Date of Clearance.	Port of Destination.	Flag.	Remarks.
1861 Dec. .. 1862	Schooner ..	.. ..	..	Dec. 28 1862	Kingston, Jamaica.		
	" ..	.. ..	..	Jan. 31	St. Jago de Cuba.		
	" ..	.. ..	..	Feb. 20	Vera Cruz, Mex.		

NOTE.—Sloop "Liberté," from New Orleans for Brownsville, entered this port in distress, on December 30, 1861, and sailed again January 18, 1862, and so noted by me on her manifest.

(Signed)

JAMES SORLEY.

(4.)—List of Vessels Entered and Cleared at the Port of New Orleans, La., arriving in the months of November, December, and February.

Date of Entry.	Class.	Name.	Port where from.	Date of Clearance.	Port of Destination.	Flag.	Remarks.
1861 Nov. 8	Flat boat ..	.. ..	Green River, Ky.	1861			
" 18	Schooner ..	.. ..	Havana.				
" 22	" ..	.. ..	Brownsville.				
" 25	" ..	.. ..	Havana.				
	" ..	.. ..	.. ..	Nov. 13	Havana.		
	Steam-ship ..	.. ..	.. ..	" 16	Kingston, Ja.		
	Schooner ..	.. ..	.. ..	" 22	Havana.		
	" ..	.. ..	.. ..	" 22	do.		
	" ..	.. ..	.. ..	" 27	Br. de St. Jago.		
	Steamer ..	.. ..	.. ..	" 29	Havana.		
	Schooner ..	.. ..	.. ..	Dec. 2	do.		
	" ..	.. ..	.. ..	" 2	Kingston, Ja.		
	" ..	.. ..	.. ..	" 3	Havana.		
	Sloop ..	.. ..	.. ..	" 4	do.		
	" ..	.. ..	.. ..	" 5	Tampico.		
	Steamer ..	.. ..	.. ..	" 11	Havana.		
	Schooner ..	.. ..	.. ..	" 12	Br. St. Jago.		
	Sloop ..	.. ..	.. ..	" 13	Mobile.		
	" ..	.. ..	.. ..	" 13	Brownsville.		
	Schooner ..	.. ..	.. ..	" 13	do.		
	" ..	.. ..	.. ..	" 20	Br. St. Jago.		
	Brig ..	.. ..	.. ..	" 21	Havana.		
	Schooner ..	.. ..	.. ..	" 24	do.		
	" ..	.. ..	.. ..	" 26	Brownsville.		
1862 Feb. 20	Steamer ..	.. ..	Havana	1862	.. ..	British .	487 tons.
" 21	" ..	.. ..	Nassau	.. ..	.. ..	do. ..	296 "
" 24	Schooner ..	.. ..	Point Isabel	.. ..	.. ..	C. S. A.	29 "
	Steamer ..	.. ..	.. ..	Feb. 1	Havana	.. ..	432 "
	Schooner ..	.. ..	.. ..	" 1	do.	.. ..	26 "
" 24	Barque ..	.. ..	.. ..	" 4	do.	.. ..	199 "
	Sloop ..	.. ..	.. ..	" 5	Mobile	.. ..	7 "
	Steamer ..	.. ..	.. ..	" 6	Havana	.. ..	1,149 "
	Sloop ..	.. ..	.. ..	" 6	Brownsville	.. ..	12 "
	Schooner ..	.. ..	.. ..	" 7	Havana	.. ..	74 "
	Propeller ..	.. ..	.. ..	" 8	do.	.. ..	429 "
	Schooner ..	.. ..	.. ..	" 10	do.	.. ..	52 "
	" ..	.. ..	.. ..	" 10	do.	.. ..	30 "
	Steamer ..	.. ..	.. ..	" 10	do.	.. ..	843 "
	Schooner ..	.. ..	.. ..	" 15	do.	.. ..	99 "
	Steamer ..	.. ..	.. ..	" 18	do.	.. ..	623 "
	" ..	.. ..	.. ..	" 24	do.	.. ..	655 "
	" ..	.. ..	.. ..	" 26	do.	.. ..	372 "

(No. 5.)—List of Vessels Entered and Cleared at the Port of Pensacola, Fla., during the months of December, January, and February.

Date of Entry.	Class.	Name.	Port where from.	Date of Clearance.	Port of Destination.	Flag.	Remarks.
1861 Dec. ..	Schooner ..	.. ..	..	1861 Dec. 21	Havana.		
1862 Jan. 24	" ..	.. ..	Havana.	1862 Feb. 4	do.		
	Sloop ..	.. ..	..	" 10	do.		
	" ..	.. ..	..	" 25	do.		

(No. 6.)—List of Vessels Entered and Cleared at the Port of Apalachicola, Florida, during the months of December and January.

Date of Entry.	Class.	Name.	Port where from.	Date of Clearance.	Port of Destination.	Flag.	Remarks.
	Schooner ..	.. ..	..	1861 Dec. 6	Isle of Cuba.		
	" ..	.. ..	..	" 7	Kingston, Ja.		
1862 Jan. 17	" ..	.. ..	Havana.	1862 Jan. 30	Havana.		
	" ..	.. ..	Apalachicola				

(No. 7.)—List of Vessels Entered and Cleared at the Port of Lavaca, Texas, during the month of January, 1862.

Date of Entry.	Class.	Name.	Port where from.	Date of Clearance.	Port of Destination.	Flag.	Remarks.
1862 Jan. 8	Schooner ..	.. ..	Vera Cruz.				

No. 4.

*Mr. Layard to Mr. Mason.*

Sir,

*Foreign Office, July 10, 1862.*

I AM directed by Earl Russell to acknowledge the receipt of your letter of the 7th instant, respecting the blockade of the Southern Coast of North America.

I am, &c.

(Signed) A. H. LAYARD.

No. 5.

*Mr. Mason to Earl Russell.—(Received July 17.)*

*54, Devonshire Street, Portland Place, London,*

My Lord,

*July 17, 1862.*

IN late proceedings of Parliament, and in reply to inquiries made in each House, as to the intention of Her Majesty's Government to tender offices of mediation to the contending Powers in North America, it was replied, in substance, by Lord Palmerston and your Lordship, that Her Majesty's Government had no such intention at present; because, although this Government would be ever ready to offer such mediation, whenever it might be considered that such interposition would be of avail, it was believed by the Government that, in the present inflamed or irritated temper of the belligerents, any such offer might be misinterpreted and might have an effect contrary to what was intended.

I will not undertake, of course, to express any opinion of the correctness of this view so far as it may apply to the Government or people of the United States; but as the terms would seem to have been applied equally to the Government or people of the Confederate States of America, I feel warranted in the declaration, that whilst it is the unalterable purpose of that Government and people to maintain the independence they have achieved,



whilst under no circumstances or contingencies will they ever again come under a common Government with those now constituting the United States; and although they do not in any form invite such interposition, yet they can see nothing in their position which could make either offensive or irritating a tender of such offices on the part of Her Majesty's Government, as might lead to a termination of the war, a war hopelessly carried on against them, and which is attended by a wanton waste of human life, at which humanity shudders. On the contrary, I can entertain no doubt that such offer would be received by the Government of the Confederate States of America, with that high consideration and respect due to the benign purpose in which it would have its origin.

I have, &c.  
(Signed) J. M. MASON.

No. 6.

*Earl Russell to Mr. Mason.*

Sir, *Foreign Office, July 24, 1862.*  
I HAVE the honour to acknowledge the receipt of your letter of the 17th instant, respecting the intention expressed by Her Majesty's Government to refrain from any present offer of mediation between the contending parties in North America, and I have to state to you, in reply, that, in the opinion of Her Majesty's Government, any proposal to the United States to recognize the Southern Confederacy would irritate the United States, and any proposal to the Confederate States to return to the Union would irritate the Confederates.

This was the meaning of my declarations in Parliament upon the subject.

I am, &c.  
(Signed) RUSSELL.

No. 7.

*Mr. Mason to Earl Russell.—(Received July 24.)*

*54, Devonshire Street, Portland Place, London,  
July 24, 1862.*

My Lord,

IN the interview I had the honour to have with your Lordship in February last, I laid before your Lordship, under instructions from the Government of the Confederate States, the views entertained by that Government, leading to the belief that it was, of right, entitled to be recognized as a separate and independent Power, and to be received as an equal in the great family of nations.

I then represented to your Lordship that the dissolution of the Union of the States of North America, by the withdrawal therefrom of certain of the Confederates, was not to be considered as a revolution, in the ordinary acceptation of that term; far less, was it to be considered as an act of insurrection or rebellion; that it was, both in form and in fact, but the termination of a Confederacy which, during a long course of years, had violated the terms of the Federal compact by the exercise of unwarranted powers, oppressive and degrading to the minority section. That the seceding parties had so withdrawn as organized political communities, and had formed a new Confederacy, comprising then, as now, thirteen separate and sovereign States, embracing an area of 870,610 square miles, and with a population of 12,000,000. This new Confederacy has now been in complete and successful operation, as a Government, for a period of nearly eighteen months; has proved itself capable of successful defence against every attempt to subdue or destroy it; and in a war, conducted by its late Confederates, on a scale to tax their utmost power, has presented everywhere a united people, determined at every cost to maintain the independence they had affirmed.

Since that interview more than five months have elapsed, and during that period events have but the more fully confirmed the views I then had the honour to present to your Lordship. The resources, strength, and power in the Confederate States developed by those events, I think, authorize me to assume, as the judgment of the intelligence of all Europe, that the separation of the States of North America is final; that under no possible circumstances can the late Federal Union be restored; that the new Confederacy has evinced both the capacity and the determination to maintain its independence, and, therefore, with other Powers the question of recognizing that independence is simply a question of time.



The Confederate States ask no aid from, nor intervention by, foreign Powers. They are entirely content that the strict neutrality which has been proclaimed between the belligerents shall be adhered to, however unequally it may operate, because of fortuitous circumstances, upon them.

But if the principles and the morals of the public law be, when a nation has established before the world both its capacity and its ability to maintain the Government it has ordained, that a duty devolves on other nations to recognize such fact, then I submit that the Government of the Confederate States of America, having sustained itself, unimpaired, through trials greater than most nations have been called to endure, and far greater than any it has yet to meet, has furnished to the world sufficient proof of stability, strength, and resources, to entitle it to a place amongst the independent nations of the earth.

I have, &c.

(Signed) J. M. MASON.

No. 8.

*Mr. Mason to Earl Russell.—(Received July 24.)*

54, Devonshire Street, Portland Place, July 24, 1862.

MR. MASON presents his compliments to Earl Russell, and if agreeable to his Lordship, Mr. Mason would be obliged if Earl Russell would allow him the honour of an interview, at such time as may be convenient to his Lordship.

Mr. Mason desires to submit to Earl Russell some views connected with the subject of the letter he has the honour to transmit herewith,\* which he thinks may be better imparted in a brief conversation.

No. 9.

*Earl Russell to Mr. Mason.*

Foreign Office, July 31, 1862.

LORD RUSSELL presents his compliments to Mr. Mason. He begs to assure Mr. Mason that it is from no want of respect to him that Lord Russell has delayed sending an answer to his letter of the 24th instant.

Lord Russell has postponed sending that answer in order that he might submit a draft of it the Cabinet on Saturday next. It will be forwarded on Monday to Mr. Mason.

Lord Russell does not think any advantage would arise from the personal interview which Mr. Mason proposes, and must therefore decline it.

No. 10.

*Mr. Mason to Earl Russell.—(Received August 1.)*

54, Devonshire Street, Portland Place,  
August 1, 1862.

My Lord,

IN the interview I had the honour to propose in my late note, I had intended briefly to submit the following views, which I thought might not be without weight, in the consideration to be given by Her Majesty's Government to the request for recognition of the Confederate States, submitted in my letter of the 24th July ultimo. I ask leave now to present them as supplemental to that letter.

If it be true as there assumed, that in the settled judgment of England the separation of the States is final, then the failure of so great a power to recognize the fact in a formal manner, imparts an opposite belief, and must operate as an incentive to the United States to protract the contest.

In a war, such as that pending in America, where a party in possession of the Government is striving to subdue those, who for reasons sufficient to themselves, have withdrawn from it, the contest will be carried on in the heat of blood, and of popular excitement long after its object has become hopeless in the eyes of disinterested parties.

The Government itself may feel that its power is inadequate to bring back the reculant States, and yet be unable at once to control the fierce elements which surround it whilst

the war rages. Such it is confidently believed is the actual condition of affairs in America.

It is impossible in the experience of eighteen months of no ordinary trial—in the small results attained—and in the manifest exhaustion of its resources, that any hope remains with the Government of the United States either of bringing about a restoration of the dissevered Union, or of subjugating those who have renounced it. And yet the failure of foreign Powers formally to recognize this actual condition of things, disables those in authority from conceding that fact at home.

Again, it is known that there is a large and increasing sentiment in the United States in accordance with these views, a sentiment which has its origin in the hard teachings of the war as it has progressed.

It was believed (or so confidently affirmed) that there was a large party in the Southern States devoted to the Union, whose presence and power would be manifested there as soon as the public force of the United States was present to sustain it. I need not say how fully the experience of the war has dispelled this delusion.

Again, it was believed, and confidently relied on, that in the social structure of the Southern States there was a large population of the dominant race indifferent, if not hostile, to the basis on which that social structure rests, in which they were not interested, and who would be found the allies of those whose mission was supposed to be in some way to break it up; but the same experience has shown that the whole population of the South is united, as one people, in arms to resist the invader.

Nothing remains then on which to rest any hope of conquest but a reliance on the superior numbers and the supposed greater resources of the Northern States. I think the results of the last (or pending) campaign has proved how idle such expectations were, against the advantages of a people fighting at home, and bringing into a common stock of resistance, as a free will offering, all that they possessed, whether of blood or treasure. A spectacle now historically before the world.

It is in human experience that there must be those in the United States who cannot shut their eyes to such facts, and yet, in the despotic power now assumed there by the Government, to give expression to any doubt would be to court the hospitalities of the dungeon.

One word from the Government of Her Majesty would encourage those people to speak, and the civilized world would respond to the truths they would utter, "that for whatever purpose the war was begun, it was continued now only in a vindictive and unreasoning spirit, shocking alike to humanity and civilization." That potent word would simply be to announce a fact, which a phrenzied mind could only dispute, that the Southern States, now in a separate Confederacy, had established before the world its competency to maintain the Government of its adoption, and its determination to abide by it.

To withhold it would not only seem in derogation of truth, but would be to encourage the continuance of a war, hopeless in its object, ruinous alike to the parties engaged in it, and to the prosperity and welfare of Europe.

(Signed) J. M. MASON.

No. 11.

*Earl Russell to Mr. Mason.*

Sir,

*Foreign Office, August 2, 1862.*

I HAVE had the honour to receive your letters of the 24th of July and 1st instant, in which you repeat the considerations which, in the opinion of the Government of the so-called Confederate States, entitle that Government to be recognized of right as a separate and independent Power, and to be received as an equal in the great family of nations.

In again urging these views you represent, as before, that the withdrawal of certain of the Confederates from the Union of the States of North America is not to be considered as a revolution, in the ordinary acceptation of that term, far less an act of insurrection or rebellion, but as the termination of a Confederacy which had, during a long course of years, violated the terms of the Federal compact.

I beg leave to say in the outset that upon this question of a right of withdrawal, as upon that of the previous conduct of the United States, Her Majesty's Government have never presumed to form a judgment. The interpretation of the Constitution of the United States, and the character of the proceedings of the President and Congress of the United States under that Constitution, must be determined, in the opinion of Her Majesty's



Government, by the States and people in North America who inherited, and have till recently upheld that Constitution. Her Majesty's Government decline altogether the responsibility of assuming to be judges in such a controversy.

You state that the Confederacy has a population of 12,000,000; that it has proved itself for eighteen months capable of successful defence against every attempt to subdue or destroy it; that in the judgment of the intelligence of all Europe the separation is final; and that under no possible circumstances can the late Federal Union be retored.

On the other hand, the Secretary of State of the United States has affirmed, in an official despatch, that a large portion of the once disaffected population has been restored to the Union, and now evinces its loyalty and firm adherence to the Government, that the white population now in insurrection is under 5,000,000, and that the Southern Confederacy owes its main strength to hope of assistance from Europe.

In the face of the fluctuating events of the war; the alternations of victory and defeat; the capture of New Orleans; the advance of the Federals to Corinth, to Memphis, and the banks of the Mississippi as far as Vicksburg, contrasted, on the other hand, with the failure of the attack on Charleston, and the retreat from before Richmond; placed too between allegations so contradictory on the part of the contending Powers;—Her Majesty's Government are still determined to wait.

In order to be entitled to a place among the independent nations of the earth, a State ought to have not only strength and resources for a time, but afford promise of stability and permanence. Should the Confederate States of America win that place among nations, it might be right for other nations justly to acknowledge an independence achieved by victory, and maintained by a successful resistance to all attempts to overthrow it. That time, however, has not, in the judgment of Her Majesty's Government, yet arrived. Her Majesty's Government, therefore, can only hope that a peaceful termination of the present bloody and destructive contest may not be distant.

I am, &c.  
(Signed) RUSSELL.

## No. 12.

*Mr. Mason to Earl Russell.—(Received January 3.)*

24, Upper Seymour Street, Portman Square,  
January, 1863.

My Lord,

IN a communication which I had the honour to address to your Lordship, dated on the 7th July ultimo, I said:—

"I am instructed by a recent despatch from the Secretary of State of the Confederate States of America to bring to the attention of your Lordship what would seem to be an addition engrafted by Her Majesty's Government on the principle of the law of blockade, as established by the Convention of Paris in 1856, and accepted by the Confederate States of America at the invitation of Her Majesty's Government."

The "addition" to the principle of blockade referred to, is stated in my communication to have appeared in a letter from your Lordship to Lord Lyons, of the 15th of February preceding, then recently laid before Parliament.

I stated further in that communication, quoting from the instructions of the President,—

"If such be the interpretation placed by Great Britain on the Treaty of 1856, it is but just that this Government should be so officially informed."

And after pointing out the force and effect ascribed by the President to this modification of the principle of blockade, to the prejudice of the interests of the Confederate States, my communication to your Lordship proceeded as follows:—

"I have therefore the honour to request, for the information of my Government, that your Lordship will be good enough to solve the doubt entertained by the President of the Confederate States as to the construction placed by the Government of Her Majesty on the text of the Convention of Paris, as accepted by the Government of the Confederate States in the terms hereinbefore cited, that is to say, whether a blockade is to be considered as effective when maintained at an enemy's port by a force sufficient to create an evident danger of entering or leaving it," and not alone where sufficient "really to prevent access."

To that communication I was honoured only by a reply from the Honourable A. H. Layard, dated at the Foreign Office on the 10th of July, informing me that he was directed by your Lordship to acknowledge its receipt; nor have I since been honoured by



any communication from your Lordship furnishing an answer to the specific and important inquiry thus made under instructions from my Government.

On the 4th of August following, I transmitted to the Secretary of State of the Confederate States a copy of my communication to your Lordship of the 7th of July, together with a copy of the reply of Mr. Layard; and asked for further instructions made necessary by the silence of the Foreign Office, in regard to the inquiries thus submitted.

I have now, within a few days past, received a despatch from the Secretary of State in reply to mine of the 4th of August, the tenour of which I am directed to communicate to your Lordship.

I am instructed to say that, from the papers thus submitted, it would appear to the President that the Government of Her Majesty, after having invited the Government of the Confederate States to concur in the adoption of certain principles of international law, and after having obtained its assent, assumed in official despatches to derogate from the principles thus adopted, to the prejudice of the interests and rights of the Confederacy; and that upon being approached, in respectful and temperate terms, with a request for explanation on a matter of such deep concern to the Confederation, that Cabinet refuses a reply.

That Her Majesty's Government can have no just ground for refusing the explanation asked, because of the absence of the recognition of the independence of the Confederate States by the other nations of the world. It was not in the character of a recognized independent nation, but in that of a recognized belligerent, that the two leading Powers of Western Europe approached the Government of those States with a proposition for the adoption of certain principles of public law, as rules which shall govern the mutual relations between the people of the Confederacy as belligerents, and the nations of Europe as neutrals, during the pending war.

Two of these rules were for the special benefit of Great Britain as one of those neutral Powers. It was agreed that her flag should cover enemy's goods, and that her goods should be safe under the enemy's flag. The former of these two rules conceded to her, as a neutral, rights which she had sternly refused when herself a belligerent, with a single temporary waiver thereof in her late war with Russia. To these stipulations in her favour, the Government of the Confederate States will adhere with scrupulous fidelity. On the part of Her Majesty's Government, it was agreed that no blockade should be considered binding unless "maintained by a force sufficient really to prevent access to the coast of the enemy;" and yet on the first occasion which arose for the application of this, the only stipulation that could be of practical benefit to the Confederate States during the war, Her Majesty's Secretary of State for Foreign Affairs, in an official despatch published to the world, appends a qualification which in effect destroys its whole value, and when appealed to for an explanation of this apparent breach of an existing solemn agreement between the neutral and the belligerent declines an answer.

In view of these facts, I am instructed by the President to address to your Lordship, as Her Majesty's Secretary of State for Foreign Affairs, this formal protest on the part of the Government of the Confederate States against the apparent (if not executed) purpose of Her Majesty's Government to change or modify, to the prejudice of the Confederacy, the doctrine in relation to blockade to which the faith of Her Majesty's Government is, by that of the Confederate States, considered to be pledged.

I am further instructed to say, that the President abstains for the present from taking any further action than by his protest thus presented; and to accompany it by the expression of his regret that such painful impressions should be produced on his mind, by so unexpected a result from the first agreement or understanding between the Government of the Confederate States and that of Her Majesty.

I have, &c.  
(Signed) J. M. MASON.

No. 13.

*Earl Russell to Mr. Mason.*

Sir,

*Foreign Office, February 10, 1863.*

I HAVE the honour to acknowledge the receipt of your letter of the January, referring to the letter which you addressed to me on the 7th of July last, respecting the interpretation placed by Her Majesty's Government on the Declaration with regard to blockades appended to the Treaty of Paris.

I have, in the first place, to assure you that Her Majesty's Government would much



regret if you should feel that any want of respect was intended by the circumstance of a mere acknowledgment of your letter having hitherto been addressed to you.

With regard to the question contained in it, I have to say that Her Majesty's Government see no reason to qualify the language employed in my despatch to Lord Lyons of the 15th of February last. It appears to Her Majesty's Government to be sufficiently clear that the Declaration of Paris could not be intended to mean that a port must be so blockaded as really to prevent access in all winds, and independently of whether the communication might be carried on in a dark night, or by means of small low steamers or coasting craft creeping along the shore; in short, that it was necessary that communication with a port under blockade should be utterly and absolutely impossible under any circumstances.

In further illustration of this remark, I may say there is no doubt that a blockade would be in legal existence although a sudden storm or change of wind occasionally blew off the blockading squadron. This is a change to which, in the nature of things, every blockade is liable. Such an accident does not suspend, much less break, a blockade. Whereas, on the contrary, the driving off a blockading force by a superior force does break a blockade, which must be renewed *de novo*, in the usual form, to be binding upon neutrals.

The Declaration of Paris was, in truth, directed against what were once termed "paper blockades;" that is, blockades not sustained by any actual force, or sustained by a notoriously inadequate naval force, such as the occasional appearance of a man of war in the offing, or the like.

The adequacy of the force to maintain the blockade must indeed always, to a certain extent, be one of fact and evidence; but it does not appear that in any of the numerous cases brought before the Prize Courts in America, the inadequacy of the force has been urged by those who would have been most interested in urging it against the legality of the seizure.

The interpretation, therefore, placed by Her Majesty's Government on the Declaration of Paris was that a blockade, in order to be respected by neutrals, must be practically effective. At the time I wrote my despatch to Lord Lyons, Her Majesty's Government were of opinion that the blockade of the Southern ports could not be otherwise than so regarded; and certainly the manner in which it has since been enforced gives to neutral Governments no excuse for asserting that the blockade has not been efficiently maintained.

It is proper to add that the same view of the meaning and effect of the Article of the Declaration of Paris on the subject of blockades which is above explained was taken by the Representative of the United States at the Court of St. James' (Mr. Dallas), during the communications which passed between the two Governments some years before the present war, with a view to the accession of the United States to that Declaration.

I am, &c.  
(Signed) RUSSELL.

No. 14.

*Mr. Mason to Earl Russell.—(Received February 16.)*

24, Upper Seymour Street, Portman Square,  
February 16, 1863.

My Lord,

I DEEM it incumbent on me to ask the attention of Her Majesty's Government to recent intelligence received here, in regard to the blockade at Galveston, in the State of Texas, and at Charleston, in the State of South Carolina.

First, as respects Galveston, it appears that the blockading squadron of the United States was driven off from that port and harbour, by a superior Confederate force, on the 1st day of January last; one ship of that squadron was captured, the flag-ship destroyed, and the rest escaped, making their way, it is said, to some point of the Southern coast occupied by the United States' forces. Whatever blockade of the port of Galveston, therefore, may have previously existed, I submit, was effectually raised and destroyed by the superior forces of the party blockaded.

Again, as respects the port of Charleston; through the ordinary channels of intelligence, we have information, uncontradicted, that the alleged blockade of that port was, in like manner, raised and destroyed, by a superior Confederate force, at a very early hour on the 31st of January ultimo; two ships of the blockading squadron having been sunk, a third escaped disabled, and what remained of the squadron afloat was entirely driven off the coast.

I have the honour to submit, therefore, that any alleged pre-existing blockade of the ports aforesaid, was terminated at Galveston the 1st day of January last, and at Charleston on the 31st of the same month; a principle clearly stated in a letter I have had the honour to receive from your Lordship, dated on the 10th instant, in the following words:—"The driving off a blockading force, by a superior force, does break a blockade, which must be renewed *de novo*, in the usual form, to be binding upon neutrals;"—a principle uniformly admitted by all text-writers on public law, and established by decisions of Courts of Admiralty.

I am aware that official information of either of these events may not yet have reached the Government of Her Majesty, but the consequences attending the removal of the blockade (whether to be renewed or not) are so important to the commercial interests involved, that I could lose no time in asking that such measures may be taken by Her Majesty's Government, in relation thereto, as will best tend to the resumption of a commercial intercourse so long placed under restraint.

I avail myself of this occasion to acknowledge the receipt of your Lordship's letter of the 10th of February instant, to which I shall have the honour of sending a reply in the course of a day or two; and am, &c.

(Signed) J. M. MASON.

No. 15.

*Earl Russell to Mr. Mason.*

Sir,

*Foreign Office, February 16, 1863.*

I HAVE the honour to acknowledge the receipt of your letter of this date calling my attention to the occurrences, as reported in the public prints, at Galveston and Charleston on the 1st and 31st of January respectively; and I have the honour to inform you that your letter shall be considered by Her Majesty's Government.

I am, &c.  
(Signed) RUSSELL.

No. 16.

*Mr. Mason to Earl Russell.—(Received February 18.)*

My Lord,

*24, Upper Seymour Street, Portman Square,  
London, February 18, 1863.*

I HAVE the honour to acknowledge the receipt of your letter of the 10th of February instant, in answer to mine of the 3rd of January last, but referring more especially to inquiries which I had the honour to address to your Lordship, under the instruction of the Secretary of State of the Confederate States of America, on the 7th of July last, concerning the interpretation placed by Her Majesty's Government on the declaration of the principle of blockade agreed to in the Convention of Paris.

I shall, as early as practicable, communicate the letter of your Lordship to the Government at Richmond, but will anticipate here the satisfaction with which the President will receive the assurance of your Lordship that no want of respect was intended by a mere acknowledgment, without other reply, to the inquiries contained in my letter of July.

In regard to so much of the letter of your Lordship as relates to the interpretation placed by the Government of Her Majesty on that part of the Declaration of Paris which prescribes the law of blockade, I am constrained to say that I am well-assured the President cannot find in it a source of like satisfaction. It is considered by him that the terms used in that Convention are too precise and definite to admit of being qualified—or, perhaps, it may be more appropriate to say revoked—by the super-additions thereto contained in your Lordship's exposition of them.

The terms of that Convention are, that the blockading force must be sufficient really to prevent access to the coast. No exception is made in regard to dark nights, favourable winds, the size or model of vessels successfully evading it, or the character of the coast or waters blockaded; and yet it would seem from your Lordship's letter that all these are to be taken into consideration, on a question whether the blockade is or is not to be respected.



It is declared in that letter that—

“It appears to Her Majesty’s Government to be sufficiently clear that the Declaration of Paris could not have been intended to mean that a port must be so blockaded in all winds, and independently of whether the communication might be carried on of a dark night, or by means of small low steamers, or coasting craft, creeping along the shore.”

As a general rule, the ports and harbours of the Confederate States are obstructed by bars, which do not admit the passage of large vessels. What might be considered a “small” or a “low” steamer, coming in from sea to the port of New York, would, at one of those Southern ports, be rated a vessel of very fair size when referred to the ordinary stage of water on its bar; yet I look in vain in the terms of the Convention referred to, for any authority to expound them in subordination to the depth of water, or the size or mould of vessels finding ready and comparatively safe access to the harbour.

In acceding to the terms of that Treaty, great advantages are yielded to a maritime neutral, with like immunities to a maritime belligerent. The property of the neutral is safe under the flag of the belligerent, and the property of the belligerent equally safe under the flag of the neutral. The only equivalent to the belligerent, not maritime, but dependent on other nations as carriers, is this strictly-defined principle of the law of blockade, which the Confederate States presumed was extended to them, when, at the request of Her Majesty’s Government, they became parties to those stipulations of the Convention of Paris of 1856. It results that, after yielding full equivalents, the stipulation in regard to blockade, reserved as the only one beneficial to them, would seem illusory.

In regard to the character of this blockade, to which your Lordship again adverts in the remark that the manner in which it has been enforced gives neutral Governments no excuse for asserting that it has not been efficiently maintained, although I have not been instructed to make any further representations to Her Majesty’s Government on that subject since its decision to treat it as effective, I cannot refrain from adding, that for many months past the frequent arrival and departure of vessels (most of them steamers) from several of those ports have been matters of notoriety. A single steamer has evaded the blockade successfully, and most generally from Charleston, more than thirty times. And within a few days past it has been brought to my knowledge that two steamers arrived in January last, and within ten days of each other, at Wilmington (North Carolina) from ports in Europe, one of 400 and the other of 500 tons burthen, both of which have since sailed from Wilmington, and arrived with their cargoes at foreign ports. I cite these only as the latest authenticated instances. And as another remarkable fact, it is officially reported by the Collector at Charleston, that the revenue accruing at that port from duties on imported merchandize during the past year, under the blockade, was more than double the receipts of any one year previous to the separation of the States; and this although the duties under the Confederate Government are much lower than those exacted by the United States.

As regards other portions of your Lordship’s letter, I may freely admit, as it is there stated, that a blockade would be in legal existence although a sudden storm or change of wind might occasionally blow off the blockading squadron. Yet, with entire respect, I do not see how such principle affects the question of the efficiency of such blockade whilst the squadron is on the coast. And again, whilst I am not informed whether or no a defence resting on the inadequacy of the blockading force has been urged in cases of capture before the Prize Courts in America, I can well see how futile such defence would be when presented on behalf of a neutral ship, whose Government had not only not objected to, but had admitted, the sufficiency of the blockade.

I have, &c.  
(Signed) J. M. MASON.

No. 17.

*Earl Russell to Mr. Mason.*

Sir,

*Foreign Office, February 19, 1863.*

WITH reference to my letter of the 16th instant acknowledging the receipt of your letter of that day, calling attention to the accounts which had reached this country tending to show that the blockade of the ports of Galveston and Charleston had been put an end to by the action of the Confederate naval forces, I have the honour now to state to you that the information which Her Majesty’s Government have derived from your letter and from the public journals on this subject is not sufficiently accurate to admit of their forming an

opinion, and they will accordingly, by the first opportunity, instruct Lord Lyons to report fully on the matter.

When his Lordship's report has been received and considered, I shall have the honour of making a further communication to you on the subject.

I am, &c.  
(Signed) RUSSELL.

No. 18.

*Earl Russell to Mr. Mason.*

Sir,

*Foreign Office, February 27, 1863.*

I HAVE the honour to acknowledge the receipt of your further letter of the 18th instant on the subject of the interpretation placed by Her Majesty's Government on the declaration of the principle of blockade made in 1856 by the Conference at Paris.

I have already, in my previous letters, fully explained to you the views of Her Majesty's Government on this matter; and I have nothing further to add in reply to your last letter, except to observe that I have not intended to state that any number of vessels of a certain build or tonnage might be left at liberty freely to enter a blockaded port without vitiating the blockade, but that the occasional escape of small vessels on dark nights, or under other particular circumstances, from the vigilance of a competent blockading fleet, did not evince that laxity in the belligerent which enured, according to international law, to the raising of a blockade.

I am, &c.  
(Signed) RUSSELL.

NORTH AMERICA.

No. 2. (1863.)

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Correspondence with Mr. Mason respecting Blockade,  
and Recognition of the Confederate States.

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*Presented to both Houses of Parliament by Com-  
mand of Her Majesty. 1863.*

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LONDON :

PRINTED BY HARRISON AND SONS.